

EXHIBIT D

John M. LaRosa, Esquire

From: "John M. LaRosa, Esquire" <JLR@LaRosaLaw.com>
To: "Neuberger, Esq. Thomas S." <TSN@NeubergerLaw.com>
Cc: "Tobin III, Henry V." <Kenzie312@aol.com>
Sent: Friday, February 15, 2008 5:36 PM
Subject: Fw: Tobin v. Gordon: Pension Issue and Form of Order of Judgment

----- Original Message -----

From: DiBianca, Margaret
To: John M. LaRosa, Esquire
Sent: Friday, February 15, 2008 5:20 PM
Subject: RE: Tobin v. Gordon: Pension Issue and Form of Order of Judgment

John,

I passed along Tobin's pension request to the County and I will keep you posted with what I hear. As I said today on the phone, the County is not under any obligation to consider the request but they do have it in any event.

On the Order of Judgment, two things. First, on the conference call, she directed me to file the order, so you don't have to worry about the filing. Second, while I can't be sure, I think it should just be an order closing the case, as the Offer of Judgment has already been docketed and speaks for itself. I will look into it though to be certain.

In the meantime, have a great weekend.

Thank you,

Molly DiBianca

From: John M. LaRosa, Esquire [mailto:JLR@LaRosaLaw.com]
Sent: Friday, February 15, 2008 1:55 PM
To: DiBianca, Margaret
Cc: Neuberger, Esq. Thomas S.
Subject: Tobin v. Gordon: Pension Issue and Form of Order of Judgment

Molly:

The following will memorialize our telephone conversation this afternoon. On behalf of plaintiff, I requested that the County recalculate his pension to reflect retirement at a Captain's rate of pay. Such a measure would not cost the County any additional monies up front. Also, we understand that the County has done this in the past in employment cases for other long-time police officers.

You indicated that in fairness, you indeed would address this issue with your client.

Also, regarding the form of Order of Judgment, I suggested that we use the attached draft, in which we just briefly state the terms as contemplated in Defendants' Offer of Judgment (i.e. "\$25,000 plus reasonable attorneys' fees and costs") and indicate that ultimately the amount awarded for fees and costs will be a figure approved by the Court. If this is acceptable to all defendants, I will file it with the Court.

Please let me know defendants' response on both of these issues by Tuesday.

Thank you for your continued cooperation in resolving this matter.

Very truly yours,

2/21/2008

John M. LaRosa

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